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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/463,914	02/01/2000	RAMON SERRA OBIOL	1672-3	6950

7590 06/16/2005

HARRISON and EGBERT
412 MAIN STREET, 7TH FLOOR
HOUSTON, TX 77002

EXAMINER

FLORES SANCHEZ, OMAR

ART UNIT	PAPER NUMBER
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3724

DATE MAILED: 06/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/463,914

Applicant(s)

SERRA OBIOL, RAMON

Examiner

Omar Flores-Sánchez

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 April 2005.
2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 42-49 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 42-49 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is in response to applicant's amendment received on 04/04/05.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 42-44, 46 and 48 are rejected under 35 U.S.C. 103(a) as being unpatentable over Quinian (4020724) in view of Katz et al. (3889333).

Quinian discloses the invention substantially as claimed including a cutting die support cylinder 12, a cutting die 11 having a curved shape and curved inner surface, a plurality of holes 14, a fixing means 2. Quinian does not show a bolt having a shank and a head with a larger area than an area of a cross-section of the shank, working means, a spring and a dynamic fluid cylinder. However, Katz et al. teach the use of a bolt 22 having a shank and a head 24 with a larger area than an area of a cross-section of the shank, working means (see Fig. 4), a spring 20a and a dynamic fluid cylinder 34a (pneumatic or hydraulic)(see col. 3, lines 16-18) for the purpose of having a fast exchange of the cutting blade. It would have been obvious to one having ordinary skill in the art at the time the invention was made to have modified Quinian's fixing means by providing the bolt having the shank and the head with a larger area than an area

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of a cross-section of the shank, working means and the dynamic fluid cylinder as taught by Katz et al. in order to obtain a device to fast exchange the cutting die. The combination of Quinian (col. 2, lines 33-36) and Katz et al. (see Fig. 6-7) is capable of performing the intended use of the plurality of cylinders acting independently in said 180 degrees halves.

4. Claims 45 and 47 are rejected under 35 U.S.C. 103(a) as being unpatentable over Quinian (4020724) in view of Katz et al. (3889333).

Quinian disclose the invention substantially as claimed except for a quincunx form. However, the examiner takes Official Notice that the use of the quincunx form is old and well known in the art for the purpose of firmly holding two pieces. It would have been obvious to one having ordinary skill in the art at the time the invention was made to have modified Quinian's fixing means by providing the quincunx form in order to obtain a better holding configuration for the die.

5. Claim 49 is rejected under 35 U.S.C. 103(a) as being unpatentable over Quinian (4020724) in view of Katz et al. (3889333) as applied to claims 42 and 48 above, and further in view of Harrison et al. (4878407).

The modified device of Quinian discloses the invention substantially as claimed except for a circumferential stop, an axial stop and a centering guide. However, Harrison et al. teaches the use of a circumferential stop 50, an axial stop 68 and a centering guide 70 for the purpose of more accurately locating the die. It would have been obvious to one having ordinary skill in the art at the time the invention was made to have modified Quinian's device by providing the

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circumferential stop, the axial stop and the centering guide as taught by Harrison et al. in order to obtain a device that more accurately locates the die.

Response to Arguments

6. Applicant's arguments with respect to claims have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Omar Flores-Sánchez whose telephone number is 571-272-4507. The examiner can normally be reached on 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Allan Shoap can be reached on 571-272-4514. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ofs
6/13/05


Allan N. Shoap
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Group 3700